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| |) | Chapter 11 |
| In re: |) | |
| |) | Case No. 18-50757 |
| FIRSTENERGY SOLUTIONS CORP., <i>et al.</i> , ¹ |) | |
| |) | |
| |) | Hon. Judge Alan M. Koschik |
| Debtors. |) | |
| |) | |

Part 1: Identify the appellant

1. Name(s) of appellant(s): Federal Energy Regulatory Commission
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

☐ Plaintiff

☐ Defendant

■ Other (describe): Interested party

¹ The Debtors in these jointly administered Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: FE Aircraft Leasing Corp. (9245), Case No. 18-50759; FirstEnergy Generation, LLC (0561), Case No. 18-50762; FirstEnergy Generation Mansfield Unit 1 Corp. (5914), Case No. 18-50763; FirstEnergy Nuclear Generation, LLC (6394), Case No. 18-50760; FirstEnergy Nuclear Operating Company (1483), Case No. 18-50761; FirstEnergy Solutions Corp. (0186), Norton Energy Storage L.L.C. (6928), Case No. 18-50764.

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from: Order Confirming the Eighth Amended Joint Plan of Reorganization of FirstEnergy Solutions Corp., *Et Al.*, Pursuant to Chapter 11 of the Bankruptcy Code (“Confirmation Order”)
2. State the date on which the judgment, order, or decree was entered: The Confirmation Order was entered on October 16, 2019. The Confirmation Order states that it is a final order and the period in which a notice of appeal must be filed commences upon entry of the order.

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

| Party | Attorneys |
|---|--|
| APPELLANT <i>Federal Energy Regulatory Commission</i> | FEDERAL ENERGY REGULATORY COMMISSION David L. Morenoff John Lee Shepherd, Jr. Robert H. Solomon Carol J. Banta Susanna Y. Chu Mary Ellen Stefanou 888 First St., NE Washington, DC 20426 Telephone: (202) 502-8464 |

| Party | Attorneys |
|---|--|
| APPELLEE <i>FirstEnergy Solutions Corp., as debtor and debtor-in-possession</i> | BROUSE MCDOWELL LPA Marc B. Merklin John C. Fairweather Lisa S. DelGrosso Kate M. Bradley 388 South Main Street, Suite 500 Akron, OH 44311 AKIN GUMP STRAUSS HAUER & FELD LLP Ira Dizengoff David Zensky Abid Qureshi Lisa Beckerman Brian Carney Brad Kahn One Bryant Park New York, New York 10036 AKIN GUMP STRAUSS HAUER & FELD LLP Scott Alberino David Applebaum Todd Brecher Kate Doorley 1333 New Hampshire Avenue, N.W. Washington, D.C. 20036 |

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Dated: October 29, 2019

John Lee Shepherd, Jr.
Director of Legal Policy

Mary Ellen Stefanou
Attorney

Respectfully Submitted,

David L. Morenoff
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Robert H. Solomon
Solicitor

Carol J. Banta
Senior Attorney

/s/ Susanna Y. Chu
Susanna Y. Chu
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*ATTORNEYS FOR THE FEDERAL ENERGY
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CERTIFICATE OF SERVICE

I hereby certify that, on October 29, 2019, I electronically filed the foregoing Notice of Appeal under 11 U.S.C. 158(a)(1) and Statement of Election with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ Susanna Y. Chu

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